

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

PATRICK TAKUANYI,

Civil No. 19-1762 (JRT/ECW)

Plaintiff,

v.

ORDER

CITY OF SOUTH ST. PAUL POLICE
DEPARTMENT,

Defendant.

Patrick Takuanyi, 1675 Highway 96 East, White Bear Lake, MN 55110, *pro se* plaintiff.

Evan Tsai, **LEAGUE OF MINNESOTA CITIES**, 145 University Avenue West, Saint Paul, MN 55103, for defendant.

This matter is before the Court on Plaintiff's Letter captioned "Request to add Plaintiff's filings and Letter" to the Eighth Circuit Court of Appeals' order requesting the full record on appeal and on Plaintiff's Motion for Spoliation of Evidence.

In the "Request to add Plaintiff's filings and Letter," Plaintiff requests an addendum to his notice of appeal to the Eighth Circuit to include the following documents: "1. Demand for Return of File: Spoliation of Evidence," "2. Interrogatories to FedEx," and "3. Letter to the District Court Dated 12/3/2021." (Pl.'s Letter Requesting Addendum, Dec. 12, 2022, Docket No. 78.) Plaintiff's "Demand for Return of File Spoliation of Evidence" asks the Court to "admonish Attorney Wilson for not returning the Plaintiff's case file"

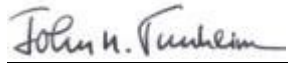
and to require said attorney to immediately return it to Plaintiff. (2nd Mot. Spoliation of Evidence, Dec. 12, 2022, Docket No. 79.) The Court previously denied Plaintiff's Motion for Spoliation of Evidence and Plaintiff appealed this ruling to the Eighth Circuit. (Mem. Op. Order Den. Pl.'s Mots., Nov. 2, 2022, Docket No. 71; Notice of Appeal to Eighth Circuit, Nov. 28, 2022, Docket No. 72.) The Eighth Circuit has since ruled on Plaintiff's motion and affirmed this Court's judgment. (USCA J., Feb. 14, 2023, Docket No. 84.) Thus, the Court will deny Plaintiff's Motion for Spoliation of Evidence as moot. Further, because the case is no longer before the Court of Appeals, the Court will also deny Plaintiff's Letter requesting certain files in the record of the case be provided to that Court as moot.

ORDER

Based on the foregoing, and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Plaintiff's Demand for Return of File Spoliation of Evidence [Docket No. 79] is **DENIED as moot**; and
2. Plaintiff's Request to add Plaintiff's filings and Letter requesting the full record on appeal [Docket No. 78] is **DENIED as moot**.

DATED: April 11, 2023
at Minneapolis, Minnesota.



JOHN R. TUNHEIM
United States District Judge